

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, April 18, 2011

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Ashley Sklarew, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:00 am by Chairman McClellan.

1. **Protest Hearing for Franklin Liquors** – Ms. Vahle received a request to withdraw the protest against this establishment. The Board agreed to the request. Ms. Vahle was concerned that someone would show up to testify at the protest hearing. Mrs. Thall suggested that Ms. Vahle post the agenda and write Cancelled on it.
2. **Beer Week Festival** – Ms. Vahle received a request for a Beer Festival Permit for Frederick Beer Week at a new farm brewery on May 14, 2011. It is limited to 500 tickets and there will be security guards on the premises and 45 volunteers to help with traffic control, parking and trash collection. Beer will be served by the independent brewers who will be licensed for the event. There is going to be food, music, hayride and a brewing demonstration. The tickets will cost \$20 a person with beer tokens to be purchased later.

MOTION ONE: Mr. Cline made a motion for approval.

SECOND: Mr. Snyder seconded the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

3. Decision Required: ***Vote to go into a Closed Session***

MOTION: Mr. Cline made a motion for the Board to go into Closed Session to consult with legal counsel pursuant to Section 10-508(a)(7) of the State Government Article of the Maryland Annotated Code. The topic of the closed meeting was a discussion of legal issues raised in connection with the violation charge pending against Westridge Liquors.

SECOND: Mr. Snyder seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan – Aye

VOTE: The vote was unanimous. ***Aye – 3 Nay – 0***
(Motion Passed)

4. Decision Required: Violation Hearing

RE: Paul Chung and Min Chung
for the use of Chung & Chung
Son, Inc.
t/a Westridge Liquors
1045 W. Patrick Street
Frederick, Maryland 21702
Class A, Off Sale, Beer, Wine & Liquor
License Number 11AL 1073 SUWT
FCLB Case Number: 4798

The Board began the violation hearing on April 11, 2011 on a charge that on August 19, 2010, either directly or through an employee, the licensees allegedly sold alcoholic beverages to a minor, Matthew Brian Ballintyn. The Board previously learned that criminal charges against the clerk were dismissed and the records related to the criminal charges were expunged.

MOTION ONE: Mr. Snyder made a motion for a dismissal.

SECOND: Mr. Cline seconded the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

5. Decision Required: Violation Hearing

RE: Mitesh Patel & ViJay Patel
for the use of RAJ Kishan,
LLC
t/a A-1 Choice
300 S. Jefferson Street
Frederick, Maryland 21701
Class A, Off Sale, Beer Only
License Number 11A 2572 SU
FCLB Case Number: 4803

The Board held a violation hearing on a charge that on December 29, 2010 either directly or through an employee, an employee of the licensee allegedly sold alcoholic beverages to a minor, Kyle Carter. Mrs. Thall swore in the licensees. (See attached Sign In Sheet). The licensees pled guilty and stated the person that sold had been on the job for two days and has since been instructed on the alcohol laws. The clerk is no longer employed with this establishment.

MOTION ONE: Mr. Cline made a motion for a fine of \$500.

SECOND: Mr. Snyder seconded the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

6. Decision Required: Violation

RE: Robert Kannor
for the use of Viniferous, LLC
t/a Viniferous
227 N. Market Street
Frederick, Maryland 21701
Class A, Off Sale, Beer & Light Wine
License Number 11AW 2800 SUWT
FCLB Case Number: 4815

The Board held a violation hearing on a charge that on December 29, 2010 either directly or through an employee, the licensee allegedly sold alcoholic beverages to a minor, Brittany Mason. Mrs. Thall swore in the licensee. (See attached Sign In Sheet). The licensee pled guilty and stated he was new to the business, he had been robbed recently and did not handle it well.

MOTION ONE: Mr. Snyder made a motion for a fine of \$500.

SECOND: Mr. Cline seconded the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:00 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees